

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Bodo KUKLINSKI, Raimund SCHIEFER, Gertrude MARKOLIN, Peter KÖSSLER, and Norbert FUCHS

Application No./Patent No. 10/511,882

Filed/Issue Date: October 19, 2004

Entitled: USE OF A MARE'S MILK CONCENTRATE DRIED ON A HIGHLY-DISPERSED, BIOLOGICALLY INERT MATRIX

Nutropia Ernährungsmedizinische Forschungs GmbH

, a company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Bodo KUKLINSKI, Raimund SCHIEFER, Gertrude MARKOLIN, Peter KÖSSLER, and Norbert FUCHS

To: Nutropia Ernährungsmedizinische Forschungs GmbH

The document was recorded in the United States Patent and Trademark Office at  
Reel 016482, Frame 0187, or for which a copy thereof is attached.

2. From: Nutropia Ernährungsmedizinische Forschungs GmbH To: Soba Biotec GmbH

The document was recorded in the United States Patent and Trademark Office at  
Reel 018441, Frame 0548, or for which a copy thereof is attached.

3. From: Soba Biotec GmbH To: Nutropia Ernährungsmedizinische Forschungs GmbH

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being submitted for recordation pursuant to 37 CFR 3.11.  
[NOTE: A separate copy (*i.e.*, a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

December 3, 2010

Date

Travis M. Wohlers, Reg. No. 57,423

Printed or Typed Name

(512) 474-5201

Telephone Number

Attorney

Title

SONN:057US

File Code



PATENT  
FILE NO. SONN:057US

### ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to Nutropia Ernährungsmedizinische Forschungs GmbH (the "Assignee"), having a place of business at Moosham 29, 5585 Unternberg Austria, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 10/511,882 which has been filed on **October 19, 2004** and is entitled **"USE OF A MARE'S MILK CONCENTRATE DRIED ON A HIGHLY-DISPERSED, BIOLOGICALLY INERT MATRIX,"** which is a national phase application under 35 U.S.C. § 371 of International Application No. PCT/AT03/00116, filed April 23, 2003, which claims priority to Austrian Application No. A640/2002, filed April 25, 2002, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

The assignment of said invention is effective as of the earlier of (1) the date of execution shown below or (2) the filing date of the first filed of said patent applications.

Signature: [Signature]  
Company: Soba Biotech GmbH  
By: Franz-Ludwig Solzbacher  
Title: Director

Date: 2010/9/8

URNr. 198/2010

STATE OF Germany

COUNTY OF Nordrhein-Westfalen

BEFORE ME, the undersigned authority, on this 8 day of September 2010 personally appeared Mr. Franz-Ludwig Solzbacher (\*), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed. (\*) born October 25th, 1946,

[SEAL]

[Signature]  
Notary or Consular Officer  
Dr. Berttram Cypionka, Notar a.D.,  
Substitute for Dr. Stefan Weber,  
Notary Public

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701